

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0064-01  
Bill No.: HB 46  
Subject: Crimes and Punishments: Prisons and Jails  
Type: Original  
Date: December 29, 2000

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
General Revenue Fund			(less than \$100,000)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>(less than \$100,000)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of State Courts Administrator** and the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of the State Public Defender** assume that existing staff could provide representation for those few cases arising where the indigent persons were charged with the enhanced crime of aiding an escape of a prisoner. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing the indigent accused in the additional cases.

In response to an identical bill from the 2000 session, Officials from the **Department of Corrections (DOC)** assumed the proposed legislation upgrades the existing crime of aiding an escape of a prisoner from a class D Felony to a class B Felony. Currently, the sentence for a class D Felony is two to five years and for a class B Felony is five to fifteen years. Therefore, starting in FY 2004, this proposal could add ten years to a defendant's sentence.

**Oversight** assumes the proposal could result in additional costs for supervision and care by the DOC. Although unknown, the amount would likely be less than \$100,000 in FY 2004, but could exceed that amount thereafter.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<b>GENERAL REVENUE FUND</b>			
<u>Cost</u> - Department of Corrections			
Expense and Equipment (Increased Beds)	\$0	\$0	(less than \$100,000)

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

### FISCAL IMPACT - Small Business

No direct fiscal impact on small businesses would be expected due to this proposal.

### **DESCRIPTION**

BLG:LR:OD (12/00)

This proposal would increase the penalty for aiding in the escape of a prisoner being held in custody or confinement on the basis of a felony charge or conviction from a class D to a class B felony.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space. The proposal would not affect Total State Revenue.

#### **SOURCES OF INFORMATION**

Office of State Courts Administrator  
Office of Prosecution Services  
Office of State Public Defender  
Department of Corrections

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA  
Director

December 29, 2000